

REMARKS

Applicants have studied the Final Office Action dated March 27, 2007, and have made amendments to the claims. Claim 13 has been amended. No new matter has been added. It is submitted that the application, as amended, is in condition for allowance. Reconsideration is respectfully requested.

Examiner' Response To Previous Arguments

On page 2, item 1 of the Final Office Action, the examiner addressed one aspect of the applicants' Remarks filed on December 21, 2006. In those Remarks, the applicants stated that "Cragun teaches that the indexing engine outputs signals into the record control part, which is the opposite of what is recited in claims 1 and 13." In response, the examiner stated that nowhere in the actual claims 1 and 13, filed on December 21, 2006, do the applicants state that the record control part outputs to the indexing engine.

The applicants respectfully disagree. In the paper filed on December 21, 2006, claim 1 was amended to recite "wherein the record control part comprises and encoder for converting an analog stream or an uncompressed data stream into a compressed digital stream and outputting the compressed digital stream to the indexing engine." Moreover, claim 13 was amended to recite "the record control part comprising an encoder and a storage control part" and "utilizing the encoder to convert an analog stream or an uncompressed data stream into a compressed digital stream and outputting the compressed digital stream to the indexing engine."

In view of the above amendments made on December 21, 2006, it is clear that the language of claims 1 and 13 stated that the record control part outputs to the indexing engine.

Rejection under 35 U.S.C. § 103

Claims 1, 3-7, 13, 15-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,859,662 to Cragun (hereinafter "Cragun") in view of U.S. Patent No. 6,233,389 to Barton (hereinafter "Barton"). This rejection is respectfully traversed.

The inventions defined by independent claims 1 and 13 include a record control part comprising an encoder for converting an analog stream or an uncompressed data stream into a

compressed digital stream and outputting the compressed digital stream to the indexing engine, and a storage control part for storing the compressed digital stream in the storage device.

Applicants respectfully assert that Cragun and Barton, either alone or in combination, do not teach or suggest the inventions of claims 1 and 13. Moreover, the applicants respectfully submit that it is improper to combine Cragun and Barton to derive the present invention. As stated by the examiner on page 3 of the Final Office Action, Cragun fails to disclose an encoder for converting an analog stream or an uncompressed data stream into a compressed digital stream and outputting the compressed digital stream to the indexing engine. Cragun also fails to disclose a storage control part for storing the compressed digital stream in the storage device, and that the record control part comprises the encoder and storage control part.

Accordingly, the examiner combines the teachings of Barton with Cragun's disclosure to derive the inventions of claims 1 and 13. This combination is respectfully traversed. In Cragun, a record control part comprises a video capture unit 207, a display driver 208 and a storage controller 210. These components are housed within a computer 104. See Figure 2 of Cragun. However, as stated in the response filed on December 21, 2006 and seen in Figure 1 of Cragun, the computer 104 does not output any signal to a closed captioning converter 103 (indexing engine). Rather, Cragun teaches that the closed captioning converter 103 (indexing engine) outputs signals to the computer 104 (including the record control part), which is the opposite of what is recited in claims 1 and 13 (as explained above, the record control part outputs to the indexing engine in claims 1 and 13).

Therefore, even though Barton may teach an encoder for converting an analog stream or uncompressed digital stream into a compressed digital stream and outputting the compressed digital stream to an indexing engine, the applicants respectfully assert that one skilled in the art would have no motivation to combine the digital encoding of Barton with the indexing system of Cragun to derive the present invention. Cragun only discloses outputting signals from an indexing engine to a computer including a record control part. However, Barton discloses outputting signals from an encoder to the indexing engine. Hence, Cragun teaches away from what is disclosed in Barton. Accordingly, it is respectfully asserted that one skilled in the art would not combine Cragun and Barton to derive the inventions of claims 1 and 13.

In view of this, it is respectfully submitted that claims 1 and 13, and the claims respectively dependent from claims 1 and 13, are allowable over the improper combination of Cragun and Barton.

Claims 8-12 and 20-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cragun in view of Barton and further in view of U.S. Patent No. 6,961,954 to Maybury (hereinafter "Maybury"). Thus rejection is respectfully traversed.

As previously asserted, independent claims 1 and 13 are allowable over the improper combination of Cragun and Barton. Furthermore, it is respectfully asserted that Maybury does not cure the deficiencies of the improper combination of Cragun and Barton with respect to the encoder of the record control part outputting a compressed digital stream into the indexing engine, as recited in claims 1 and 13. Accordingly, it is respectfully submitted that claims 1 and 13 are allowable over the combination of Cragun, Barton and Maybury. Moreover, by virtue of their dependence on claims 1 and 13, it is respectfully submitted that claims 8-12 and 20-24 are also allowable over the combination of Cragun, Barton and Maybury.

CONCLUSION

In light of the above remarks, Applicants submit that the present Amendment places all claims of the present application in condition for allowance. Reconsideration of the application, as amended, is requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,
Lee, Hong, Degerman, Kang & Schmadeka

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By: _____



Lew Edward V. Macapagal
Registration No. 55,416
Attorney for Applicant

Customer No. 035884